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IN THE HIGH COURT OF JUDICATURE AT BOBBY

CIVIL APPELLATE JURISDICTION

WRIT PETITION No.6226 OF 2006

Kumar K. Bagre Petitioner

Vs.

The Maharashtra Housing & Area Development Authority, Mumbai & Ors. Respondents

Mr.S. S. Jagtap, Advocate for the petitioner.

Mr.R. D. Rane, AGP for Respondent No.1 to 3.

CORAM: F.I. REBELLO,
AND
R. V. MORE, JJ.

DATE : JANUARY 15, 2007.

P.C.

. The allottee of the premises of respondent no.1 was respondent no.4. Petitioner's case is that he is residing in the premises with permission from respondent no.4. The respondent no.1 MHADA has filed the reply and has pointed out therein that the wife of the petitioner has given information to the Rent Collector of the respondent no.1 that the petitioner was inducted by respondent no.4 as a tenant on payment of rent of Rs. 400/- per month and security deposit of Rs.20,000/-. The

petitioner's contention is that they are residing in the premises since 1987. Respondent no.1 had a scheme for regularisation of tenements. However, before regularisation of tenements, the original allottee's No Objection Certificte (NOC), affidavit, and if the Cooperative Housing Society is formed then the NOC of the Cooperative Housing Society is required. In the instant case, petitioner did not produce NOC. In these circumstance it is clear that there can be no fault found in the impugned order. In the light of that no interference is called for. Hence the petition is dismissed.

[**R.V. MORE,J.]** [**F. I. REBELLO, J.]**